



**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2017-0232; Airspace Docket No. 17-AGL-11]**

**Amendment of Class D and E Airspace; Battle Creek, MI**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class D and removes the Class E airspace designated as an extension at W. K. Kellogg Airport (formerly W.K. Kellogg Field), Battle Creek, MI. Airspace reconfiguration is necessary due to the decommissioning of the Battle Creek collocated VHF omnidirectional range and tactical air navigation (VORTAC) navigation aid, and cancellation of the VOR approaches. The Class E airspace extending upward from 700 feet above the surface is also modified due to the redesign of the instrument landing system (ILS) approach, thereby removing reference to the BATOL navigation aid and Battle Creek ILS localizer. This action also updates the geographic coordinates of the airport, and makes an editorial change replacing Airport/Facility Directory with the term Chart Supplement in the associated Class D and E airspace areas. This action enhances the safety and management of standard instrument approach procedures for instrument flight rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, December 7, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming

amendments.

**ADDRESSES:** FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Walter Tweedy, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222-5900.

#### **SUPPLEMENTARY INFORMATION:**

##### **Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it

amends Class D and Class E airspace to support standard instrument approach procedures for IFR operations at W.K. Kellogg Airport, Battle Creek, MI.

### **History**

The FAA published in the FEDERAL REGISTER a notice of proposed rulemaking (NPRM) (82 FR 20554, May 3, 2017) Docket No. FAA-2017-0232 to modify Class D airspace, Class E airspace designated as an extension, and Class E airspace extending upward from 700 feet above the surface at W.K. Kellogg Airport, Battle Creek, MI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Subsequent to publication, the FAA determined the Class E airspace designated as an extension at W.K. Kellogg Airport is no longer required to contain any instrument procedures. Therefore, this rule removes Class E airspace designated as an extension at W.K. Kellogg Airport. This change has no substantive impact on operators using the airspace.

Class D, Class E extension, and Class E transition area airspace designations are published in paragraphs 5000, 6004, and 6005, respectively, of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the ADDRESSES section of this document. FAA Order

7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Rule**

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 modifies the Class D and removes the Class E airspace designated as an extension at W.K. Kellogg Airport (formerly W. K. Kellogg Field), Battle Creek, MI. The airport's geographic coordinates are amended in the associated Class D and Class E airspace listed in this amendment.

Also, the Class E airspace extending upward from 700 feet above the surface within a 7-mile radius of W.K. Kellogg Airport is being amended by removing the southwest segment, and the segment 7 miles northwest and 4.4 miles southeast of the Battle Creek ILS localizer northeast course extending 10.4 miles northeast of the localizer outer marker/non directional radio beacon. The northeast segment will be amended to within 2 miles each side of the 047° bearing (from 4 miles each side of the 049° bearing) from the airport extending from the 7-mile radius of the airport to 10 miles northeast (from 10.9 miles) of the airport, and the southeast segment will be amended to within 2 miles each side of the 126° bearing from the airport extending from the 7-mile radius to 7.4 miles (from 11.1 miles) southeast of the airport. Additionally, this action modifies the Class E airspace by removing reference to the BATOL navigation aid and Battle Creek ILS localizer. This action enhances the safety and management of the standard instrument approach procedures for IFR operations at the airport.

Lastly, this action makes minor editorial corrections to the amended Class D and Class E legal descriptions by removing the city listed before the airport name in the second

line and replacing the outdated term Airport/Facility Directory with the term Chart Supplement.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14

CFR part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

**Paragraph 5000. Class D Airspace Areas.**

**AGL MI D Battle Creek, MI [Amended]**

W.K. Kellogg Airport, MI  
(lat. 42°18'23"N., long. 85°15'00"W.)

That airspace extending upward from the surface to and including 3,500 feet MSL within a 4.5-mile radius of W.K. Kellogg Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

**Paragraph 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.**

**AGL MI E4 Battle Creek, MI [Removed]**

**Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.**

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**AGL MI E5 Battle Creek, MI [Amended]**

W.K. Kellogg Airport, MI

(lat. 42°18'23"N., long. 85°15'00"W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of W.K. Kellogg Airport, and within 2 miles each side of the 047° bearing from the airport extending from the 7-mile radius to 10 miles northeast of the airport, and within 2 miles each side of the 126° bearing from the airport extending from the 7-mile radius to 7.4 miles southeast of the airport.

Issued in Fort Worth, Texas on October 2, 2017.

Christopher L. Southerland,  
Acting Manager, Operations Support Group,  
ATO Central Service Center.

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